United Nations S/PV.5773

# Security Council

Sixty-second year

*Provisional*

**5773**rd meeting

Wednesday, 31 October 2007, 3.25 p.m.

New York

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| *President*: | Mr. Christian | (Ghana) |
| *Members*: | Belgium | Mr. Belle |
| | China | Mr. Li Junhua |
| | Congo | Mr. Okio |
| | France | Mr. Lacroix |
| | Indonesia | Mr. Kleib |
| | Italy | Mr. Spatafora |
| | Panama | Mr. Suescum |
| | Peru | Mr. Chávez |
| | Qatar | Ms. Al-Thani |
| | Russian Federation | Mr. Dolgov |
| | Slovakia | Mr. Matulay |
| | South Africa | Mr. Kumalo |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Johnston |
| | United States of America | Mr. Khalilzad |

## Agenda

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2007/619)

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07-57264 (E)

*The meeting was called to order at 3.25 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation concerning Western Sahara**

**Report of the Secretary-General on the situation concerning Western Sahara (S/2007/619)**

**The President**: I should like to inform the Council that I have received a letter from the representative of Spain, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Yáñez-Barnuevo (Spain) took the seat reserved for him at the side of the Council Chamber.*

**The President**: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2007/637, which contains the text of a draft resolution submitted by France, the Russian Federation, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Members of the Council also have before them document S/2007/619, which contains the report of the Secretary-General on the situation concerning Western Sahara.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

I first give the floor to the representative of South Africa.

**Mr. Kumalo** (South Africa): Once again, the Council is being asked to vote on a draft resolution that will not include any mention of human rights violations in Western Sahara. The Secretary-General, in his observations and recommendations contained his report on Western Sahara, writes:

> "I would like to repeat my call (S/2006/817, para. 60 and S/2007/202, para. 52) to the parties to remain engaged in continuous and constructive dialogue with the Office of the United Nations High Commissioner for Human Rights with a view to ensuring respect for the human rights of the people of Western Sahara. I would like to reiterate that, although MINURSO does not have the mandate or resources to address this issue, the United Nations remains committed to upholding international human rights standards." (*S/2007/619, para. 67*)

The least that would have been expected from this Council would have been for it to support the Secretary-General in his warning to the parties, contained now in his past three consecutive reports, to respect the human rights of the people of Western Sahara. But the Council, which is very vocal about human rights issues in other parts of the world, has decided to be silent on the human rights of the people of Western Sahara. This double standard is the reason that people sometimes do not take the decisions of this Council seriously.

My delegation is not only surprised but also wishes to record its deep regret that, even worse, the Council could not even welcome the report of the Secretary-General, presumably because the Secretary-General dared to raise the issue of the human rights violations against the Saharawi people. Yet, in this Council we routinely welcome reports of the Secretary-General that are presented to the Council. This time, however, some did not like what was in the Secretary-General's report on Western Sahara. The Council therefore finds itself paralysed and made to appear as if we are choosing one side or the other on this very difficult issue.

We also continue to be amazed by the relentless attempts by some members of this Council to try to describe the Moroccan proposal as being a "serious and credible effort to move the resolution forward". The fact is that the Moroccan proposal for autonomy is a unilateral attempt to prevent the Saharawi people from

claiming their right to self-determination, which is enshrined in the Charter of the United Nations. Two plans have been presented to the Council: one by the Frente POLISARIO and another by the Kingdom of Morocco. Those are the plans that should be the basis for a negotiation by the parties. As we have often stated, the only solution for Western Sahara is a negotiated settlement. So any attempt to place one proposal over the other would undermine the negotiations process and would be counterproductive to the spirit of future negotiations based on the two proposals.

The Council should remain objective without pre-empting any final status of the negotiations. While the parties are continuing to engage without any preconditions, we believe that it is important for the United Nations Mission for the Referendum in Western Sahara (MINURSO) to remain on the ground and for the Council to support the peace process.

The Secretary-General asked, in his report, that the Council extend the mandate of MINURSO for a further six months and provide support for the negotiating process. We believe that that request by the Secretary-General is important enough for us to support draft resolution S/2007/637 in spite of our reservations. My delegation will vote in favour of the draft resolution in the hope that through the negotiating process and with the support of MINURSO, the people of Western Sahara can one day achieve their right to self-determination, because that may be the only way for them not only to be in charge of their lives, but even to protect their own human rights.

**The President**: I now put to the vote the draft resolution contained in document S/2007/637.

*A vote was taken by show of hands.*

*In favour*:

Belgium, China, Congo, France, Ghana, Indonesia, Italy, Panama, Peru, Qatar, Russian Federation, Slovakia, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America

**The President**: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1783 (2007).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 3.40 p.m.*